

Minutes

April 17, 2023

The meeting of the Mandatory Continuing Legal Education Board was called to order by Board Chair Todd Alberstone at 10:03 AM on Monday, April 17, 2023. The meeting was held via videoconference. Board members in attendance were:

Todd Alberstone, Chair
Efrem Krisher
Christopher Bueter
Merri Hartse
Katie Denmark

Liaisons and Staff in attendance:

Adelaine Shay	MCLE Manager/MCLE Board Staff Liaison
Ransom Smith	MCLE Analyst II
Bobby Henry	Associate Director, Regulatory Services Department

Review of Minutes

The MCLE Board reviewed the minutes from the January 13 meeting. The Board unanimously approved all minutes without change.

Discussion: Nomination of Chair

The MCLE Board decided by motion the nomination of the next MCLE Board Chair for the coming fiscal year. A motion was taken to nominate MCLE Board member, Efrem Krisher, as the MCLE Board chair for the coming year. The nomination passed with one abstention.

Discussion: Nomination of Vice Chair

The MCLE Board decided by motion the nomination of the next Vice Chair for the coming fiscal year. A motion was taken to nominate MCLE Board member, Katie Denmark, as Vice Chair for the coming year. The nomination passed with one abstention.

Discussion: Accredited Sponsor Course Audits

MCLE Board member Merri Hartse presented an audit report for the TRTCLE course: *Working Tools for Eliminating Culture Bias*.

Discussion: Report and Recommendation on the Proposal of Suggested Amendments

The MCLE Board discussed generally a report and recommendation formed by a MCLE workgroup tasked with considering potential amendments to APR 11 that would alter the rule's education requirements as they pertain to ethics credit. The amendments would require one credit of Technology Security Ethics and one credit of Mental Health Ethics to be earned each reporting period. The amendments would increase the total credit requirements in the area of legal ethics to eight credits and create four distinct categories of legal ethics: (1) general ethics and professional responsibility; (2) equity ethics; (3) technology security ethics; and (4) mental health ethics.

After having reviewed and discussed the report, the MCLE Board decided by motion to adopt a revised version of the report, which clarified the total number of ethics credits required under the suggested amendments, rearranged the organization of a rule section under revision, and established four distinct subcategories of ethics credit. In the same motion, the Board voted on whether to publish the suggested amendments for public comment. The Board voted in the affirmative unanimously.

In a related but separately taken motion, the Board voted on setting the close of the public comment period to June 9, 2023, to schedule the next MCLE Board meeting for June 16, 2023, and to schedule the following meeting for August 18, 2023. The motion also passed unanimously.

During this discussion, the Board also devised an outreach strategy for contacting WSBA stakeholders and soliciting their input on the suggested amendments.

MCLE Updates

The MCLE Staff Liaison discussed general updates with MCLE, including the number of licensed of legal professionals who had received an APR 17 notice of presuspension, the need to fill two open positions on the MCLE Board for the next fiscal year, the continued development of the new MCLE online system and database and its expected launch, the annual Supreme Court Admin En Banc update meeting scheduled to take place in September of this year, an update on the suggested amendment regarding credit for law clerk tutors and the approaching close of the Court's public comment period, and the department's budget for the previous fiscal year.

MCLE Board Activity Review

The MCLE Board decided by motion on five activity accreditation requests. No listing of these motions is included in order to protect member confidentiality.

MCLE Review of Staff Liaison Decisions on MCLE Petitions of Undue Hardship

The MCLE Board approved Staff Liaison decisions on 27 petitions. The Board reviewed and approved by motion on the 27 petitions. No listing of these motions is included to protect member confidentiality.

MCLE Hardship Petitions

The MCLE Board decided by motion on 2 hardship petitions. No listing of these motions is included in order to protect member confidentiality.

Adjournment

There being no further business at hand, the meeting was adjourned at 11:28 PM. The next regularly scheduled MCLE Board meeting will be held at 10:00 AM on Friday June 16, 2023.

Respectfully submitted,

Robert Henry
Interim MCLE Board Staff Liaison